

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT  
DISTRICT OF MASS.

UNITED STATES OF AMERICA )

v. )

DZHOKHAR TSARNAEV )

CRIMINAL NO. 13-10200-GAO

**MOTION FOR LEAVE TO FILE REPLIES TO THE GOVERNMENT'S  
OPPOSITIONS TO *DAUBERT* MOTIONS *IN LIMINE* AND FOR AN  
EXTENSION OF TIME IN WHICH TO DO SO**

1. Defendant, Dzhokhar Tsarnaev, by and through counsel respectfully requests leave to file replies to the government's responses to his various *Daubert in limine* motions [DE 727, 728, 729, and 730]. As grounds therefor, the defendant states that the replies will assist to focus issues to facilitate Court's adjudication of the motions.

2. Defendant further requests that the Court extend its previously established deadline of December 23, 2014 for filing the replies to the close of business on December 29, 2014. The government's responses were filed after the close of business on December 19, 2014 and docketed on December 22, 2014. The government's responses as to three of the four motions included and relied on previously undisclosed complex scientific and technical discovery. The materials relied on in the responses include sophisticated statistical analysis of DNA genotyping, new tests performed to support conclusions regarding one of the bomb triggering devices, and new disclosures of cell tower plots in support of expanded geolocation testimony. The evidence disclosed in each of these areas may well be the subject of exclusion because of faulty methodological support and/or

implementation, determinations which will be the subject of an evidentiary hearing. Each area requires the assistance and consultation of experts to focus the factual, scientific, and legal issues that must be resolved in order for the Court to rule on admissibility.

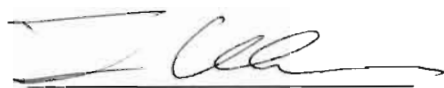
Given the new disclosures, which were made while the defense is simultaneously addressing the myriad other issues necessary for the preparation for trial, and given the need for additional analysis and consultation that necessarily flows from the disclosures, filing replies within the short time previously envisioned by the Court is impossible.

For the foregoing reasons, defendant requests leave to file replies to the government's responses, and to file them on or before the close of business on December 28, 2014.

Respectfully submitted,

DZHOKHAR TSARNAEV

By his attorneys




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**Certificate of Service**

I hereby certify that this document was served on counsel for the government by Email and paper copy by interoffice delivery on December 23, 2014.

  
Timothy G. Watkins